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DOC#:  
DATE FILED: 1/8/2021

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RUTH SARIT, *on behalf of herself and all  
others similarly situated*,

Plaintiff,

v.

WESTSIDE TOMATO, INC., *doing business  
as ARTE CAFÉ*, ROBERT MALTA,  
MARCO ORNETTI, and ERNESTO  
MATIAS LOPEZ,

Defendants.

No. 18-CV-11524 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:


For the reasons discussed in the Court's oral ruling at today's conference, Defendants' motion to dismiss, *see* Dkt. 57, is DENIED, and Plaintiff's motion for leave to file an amended complaint, *see* Dkts. 62, 66, is GRANTED. The Clerk of Court is respectfully directed to terminate the motions pending at Dkts. 57, 62, and 66.

Plaintiff's amended complaint adding a claim for retaliation shall be due no later than February 8, 2021. For the sake of efficiency and to avoid the need for multiple answers, Defendants shall answer, respond, or otherwise move with respect to the as-amended complaint within 21 days of the amendment. Defendants need not separately answer the now-operative complaint until after the filing of Plaintiff's amendment.

As directed at the conference, the parties shall meet and confer and file, no later than January 22, 2021, (1) a brief joint letter regarding the next steps in this litigation, including the discovery anticipated; and (2) a proposed case management plan and scheduling order, a template of which is available at <https://nysd.uscourts.gov/hon-ronnie-abrams>.

SO ORDERED.

Dated: January 8, 2021  
New York, New York

  
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Ronnie Abrams  
United States District Judge